

SIXTH DAY.

(Friday, January 23, 1931.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris.	Harrison
Adams of Jasper.	of Waller.
Adamson.	Hatchitt.
Adkins.	Hefley.
Akin.	Herzik.
Albritton.	Hill.
Alsup.	Hines.
Anderson.	Holder.
Baker.	Holland.
Barron.	Holloway.
Beck.	Hoskins.
Bedford.	Howsley.
Bond.	Hubbard.
Bounds.	Hughes.
Boyd.	Jackson.
Bradley.	Johnson
Brice.	of Dallam.
Brooks.	Johnson
Bryant.	of Dimmit.
Burns of Walker.	Johnson of Morris.
Burns	Jones of Shelby.
of McCulloch.	Jones of Atascosa.
Carpenter.	Justiss.
Caven.	Kayton.
Claunch.	Keller.
Coltrin.	Kennedy.
Coombes.	Laird.
Cox of Limestone.	Lasseter.
Cunningham.	Lee.
Dale.	Lemens.
Daniel.	Leonard.
Davis.	Lilley.
De Wolfe.	Lockhart.
Dodd.	Long.
Donnell.	McCombs.
Dunlap.	McGill.
Duvall.	McGregor.
Dwyer.	Magee.
Elliott.	Martin.
Engelhard.	Mathis.
Farmer.	Mehl.
Ferguson.	Metcalf.
Finn.	Moffett.
Fisher.	Moore.
Forbes.	Morse.
Ford.	Munson.
Fuchs.	Murphy.
Gilbert.	Nicholson.
Giles.	O'Quinn.
Goodman.	Patterson.
Graves.	Petsch.
Greathouse.	Pope.
Grogan.	Ramsey.
Hanson.	Ratliff.
Hardy.	Ray.
Harman.	Reader.
Harrison	Richardson.
of El Paso.	Rountree.

Sanders.	Towery.
Satterwhite.	Turner.
Scott.	Van Zandt.
Shelton.	Vaughan.
Sherrill.	Veatch.
Smith of Bastrop.	Wagstaff.
Smith of Wood.	Walker.
Sparkman.	Warwick.
Stephens.	Weinert.
Stevenson.	West of Coryell.
Steward.	West of Cameron.
Strong.	Westbrook.
Sullivant.	Wiggs.
Tarwater.	Wyatt.
Terrell	Young.
of Val Verde.	

Absent.

McDougald. Olsen.

Absent—Excused.

Cox of Lamar.	Savage.
Dowell.	Terrell
Farrar.	of Cherokee.
Rogers.	

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Farrar for today, on motion of Mr. Sparkman.

Mr. Savage for today, on motion of Mr. Davis.

Mr. Terrell of Cherokee for today, on motion of Mr. Adamson.

Mr. Cox of Lamar for today, on motion of Mr. Lee.

The following members were granted leaves of absence on account of illness:

Mr. Dowell for today, on motion of Mr. Stephens.

Mr. Rogers for today, on motion of Mr. Hoskins.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Bond:

H. B. No. 143, A bill to be entitled "An Act amending Article 288, Code of Criminal Procedure of 1925, so as

to more effectively provide for the fixing and approving bail bonds, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Richardson:

H. B. No. 144, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax on the manufacture or production of cement and lime by any method, system or manner within this State, and levying and providing for the payment of a State occupation tax on the importation of cement and lime, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Richardson:

H. B. No. 145, A bill to be entitled "An Act to exempt from taxation all lands cultivated to all field and garden crops in the State of Texas, placing a tax of twenty cents per one hundred pounds on lint cotton; providing means of assessing and collecting said tax, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Martin:

H. B. No. 146, A bill to be entitled "An Act to amend Article 1052, Title 15, Chapter 13, Code of Criminal Procedure of the State of Texas, 1925, as amended by Chapter 55, Acts of First Called Session of the Forty-first Legislature, by substituting population of 25,000 or less for population of 20,000 or less, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Lockhart:

H. B. No. 147, A bill to be entitled "An Act providing in actions based upon claims for personal injury, death or property damage, occasioned by the negligence of another, that contributory negligence shall not bar a recovery, but that the damages shall be diminished in proportion to the amount of negligence attributable to such injured party, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Lockhart:

H. B. No. 148, A bill to be entitled "An Act providing that in suits brought upon claims for personal in-

jury or property damage occasioned by the negligence of another, and such other shall be indemnified against loss by reason thereof by any policy of insurance, that the insurance company shall be a proper but not a necessary party to such suit; providing for the manner of judgment to be rendered in cases where the insurance company is a party; and providing for the taking of the ex parte deposition, the person, firm, company, association or corporation accused of negligence to ascertain whether or not indemnity insurance is carried, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Lockhart:

H. B. No. 149, A bill to be entitled "An Act to amend Chapter 270 of the Acts of the Regular Session of the Fortieth Legislature, 1927 (Art. 911a, Revised Statutes, 1925), by adding thereto a new section to be known as Section 11b; providing that the insurance company insuring a motor bus company against liability and property damage under the provisions of Section 11, of such chapter, shall be a proper but not a necessary party to any suit brought against such motor bus company based on claims for loss or damage from personal injury or loss of, or injury to, property arising out of the actual operation of such motor bus or buses, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Elliott:

H. B. No. 150, A bill to be entitled "An Act amending Article 6204, Revised Civil Statutes of 1925, as amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and amending Article 6205, Revised Civil Statutes of 1925 as amended by Chapter 153, General and Special Laws of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature; and amending Article 6221, Revised Civil Statutes, 1925, as amended by Chapter 5, General Laws of the Second Called Session of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Bounds:

H. B. No. 151, A bill to be entitled "An Act to amend Chapter 14, Article 3172, Revised Civil Statutes, 1925, by adding Article 3172a to include all advertising mediums receiving any thing of value for services rendered any political candidate, make report of same; providing penalty for failure to do so."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Farmer, Mr. Veatch, Mr. Richardson, Mr. Hanson, Mr. Towery, and Mr. Lockhart:

H. B. No. 152, A bill to be entitled "An Act to amend Article 7047 of the Revised Civil Statutes of Texas of 1925, by adding thereto a new subdivision to be numbered '40—Branch or Chain Stores'; providing for the levying and collecting an annual occupation tax of \$100 for each store in excess of one, operated or maintained in this State under the same general management, supervision, or ownership by any person, firm, association, partnership, or corporation, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Terrell of Val Verde and Mr. Johnson of Dimmit:

H. B. No. 153, A bill to be entitled "An Act to amend Article 7695, Revised Civil Statutes, relating to the first three years' interest to accrue on bonds of water improvement districts, and providing that the maximum amount of bonds to be issued by any such district may include a sum sufficient to pay the first three years' interest to accrue on said bonds, and when such power is exercised no taxes shall be levied for said three-year period, except to pay off and discharge notes provided for in Article 7634, etc., and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Harrison of El Paso:

H. B. No. 154, A bill to be entitled "An Act amending Article 2189 of the Revised Statutes of Texas of 1925, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Harrison of El Paso:

H. B. No. 155, A bill to be entitled "An Act amending Article 2190 of

the Revised Statutes of Texas, 1925, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Harrison of El Paso:

H. B. No. 156, A bill to be entitled "An Act prescribing proceedings in county courts in probate matters and providing for citations and notices therein, and providing that such courts shall be open at all times for the transaction of probate business, and abolishing periodical terms, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Pope, Mr. Bond, Mr. Jones of Atascosa, Mr. Hines, Mr. Weinert, Mr. Hefley, Mr. Holloway, Mr. Jackson, Mr. Harrison of El Paso, and Mr. Dwyer:

H. B. No. 157, A bill to be entitled "An Act authorizing fair associations, bona fide farmers and livestock raisers, designated associations, to hold public exhibitions of farm, dairy, poultry, agricultural products and live stock, and to conduct contests with respect thereto, such contests to be held under the direction of a board of five persons, composed of the Commissioner of Agriculture, the President of the A. and M. College of College Station, and the President of the College of Arts and Industries of Kingsville, and two others to be appointed by the Governor for a term of two years, the one to be a bona fide farmer, the other a member of the Spanish-American War Veterans, the American Legion, or the Texas National Guard, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Van Zandt:

H. B. No. 158, A bill to be entitled "An Act creating the State Labor and Industrial Commission of Texas to take over and be vested with the powers, duties, privileges, rights, and functions of the Industrial Accident Board and the Industrial Commission of Texas and thus consolidating said departments into one commission, etc., and declaring an emergency."

Referred to Committee on State Affairs.

BILLS RE-REFERRED.

On motion of Mr. Johnson of Dimmit, House bill No. 10 was withdrawn

from the Committee on Judiciary and referred to the Committee on State Affairs.

On motion of Mr. Johnson of Dimmit, House bill No. 84 was withdrawn from the Committee on Judiciary and referred to the Committee on Counties.

(Mr. McGill in the chair.)

REPORT OF THE COMMITTEE ON CONTINGENT EXPENSES.

The Speaker laid before the House, for consideration at this time, the following report of the Committee on Contingent Expenses with resolution heretofore offered by Mr. Keller relative to statutes for members, the resolution having heretofore been read second time:

We, Your Committee on Contingent Expenses, find that Texas statutes may be procured in quantities of twenty-five (25) or more at twelve (\$12) dollars each.

A number of members of the House express the desire of securing a copy and urge the absolute necessity of buying a sufficient number to meet the needs of the House.

Therefore, we recommend the purchase of a sufficient quantity to cover the needs of this session of the Legislature, and, if this resolution is adopted, request a record showing all those who do not have a copy of the statutes and request the same.

WARWICK, Chairman;
RAY,
WYATT,
ADAMSON,
HARRISON of Waller.

Contingent Expense Committee.

Question resurring on the resolution, it was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 23, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 8, A bill to be entitled "An Act amending Article 7336, Revised Civil Statutes of Texas, providing a penalty on State and county taxes if not paid by the 31st day of January next succeeding the return of the assessment rolls of the county to the Comptroller; and providing for

the collector of taxes to seize and levy upon and sell so much of the personal property belonging to the person whose taxes are delinquent as may be sufficient to pay his taxes together with the ten per cent penalty, interest and all costs accruing thereon, etc., and declaring an emergency."

Respectfully,

JNO. B. DuPRIEST,

Assistant Secretary of the Senate.

GRANTING LEAVE OF AB- SENCE.

Mr. Terrell of Val Verde offered the following resolution:

H. C. R. No. 11, Permitting Judge Joseph Jones to leave the State.

Be it resolved by the House of Representatives of the State of Texas, the Senate concurring, That Hon. Joseph Jones, judge of the Sixty-third Judicial District of Texas, be, and he is hereby, granted permission to be absent from the State of Texas at such intervals and for such time as he sees fit and desires while his courts are in vacation, during 1931 and 1932.

The resolution was read second time and was adopted.

TO ASK CONGRESS TO GRANT CERTAIN AID TO WORLD WAR VETERANS.

Mr. Laird offered the following resolution:

H. C. R. No. 10, To ask Congress to grant certain aid to World War veterans.

Whereas, Our country is faced with the greatest unemployment crisis that it has undergone in its history; and

Whereas, Among the millions of unemployed are many veterans of the World War who served in the army, navy and marine forces for approximately a dollar a day, while many others were drawing high wages and others were making great profits from the sale of war materials; and

Whereas, There was passed by the National Congress a bill giving such veterans an insurance policy payable in twenty years, the amount conditioned on the length of their service; and

Whereas, There are measures pending in the National Congress to pay those policies in cash, or to issue negotiable bonds that could be cashed by the holders of these policies; and

Whereas, Such measures would greatly relieve the distressed condi-

tion of a large number of veterans and would tend to greatly improve the economic condition of our country by placing more money in circulation; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That we endorse and ask the passage by the Congress of the United States of such measures as will secure for the veterans of the World War the payment of their insurance policies in cash at face value at the earliest possible time; and be it further

Resolved, That a copy of this resolution be sent to each member of the House of Representatives and each Senator from Texas in the Congress of the United States.

The resolution was read second time.

On motion of Mr. Sherrill, the resolution was referred to the Committee on Federal Relations.

RELATIVE TO ATTENDING PERFORMANCE BY WILL ROGERS.

Mr. Young offered the following resolution:

Whereas, Will Rogers, a native citizen of our sister State, Oklahoma, and a humorist of world renown, is touring the Southwest, performing in behalf of the unemployed and needy, paying his own expenses and donating the proceeds of his lectures to the unemployed and needy; and

Whereas, He appears at the Paramount Theatre in Austin, Texas, on Monday, January 26th, at 12:15 p. m., under the auspices of the Federated Women's Clubs and Civic and Welfare organizations; and

Whereas, This is one of eight performances given in the State of Texas in this behalf; and

Whereas, Time will not permit the famous humorist appearing in the House of Representatives, as he must leave immediately after his performance for San Antonio, where he appears Monday night; now, therefore, be it

Resolved by the House of Representatives, That we attend the performance en masse and occupy a certain section of the theatre to be reserved for the members wishing to attend.

The resolution was read second time and was adopted.

RELATING TO SUPPORTING THE EIGHTEENTH AMENDMENT.

Mr. Farmer offered the following resolution:

Whereas, The Wickersham Commission appointed by the President of the United States has rendered a report on prohibition enforcement to the President, which report is not unanimous, and different views are entertained by the various members of the said commission, evidently being based on the bias or prejudice of the individual member, and the locality where he lives; and

Whereas, It is fitting, since the report of the commission is not unanimous, that the State of Texas should express through its House of Representatives the views of the majority of the people of Texas on this much discussed question of the Eighteenth Amendment; and

Whereas, The State of Texas was largely a prohibition State before the enactment of the Eighteenth Amendment, and her people enjoy, because of birth, training and possessing a vast majority of natural-born American citizens, the great blessings that have been brought to this State by the banishment of the legal sale of intoxicating liquors for beverage purposes; and

Whereas, The State of Texas is now enjoying a state of sobriety, advancement in learning, greater attendance in her public schools, colleges and University, a great increase in the savings accounts at the banks, higher moral progress, great decrease in drunkenness, far-reaching improvement in the efficiency of labor, great social benefits, improved conditions in domestic relations, and the young people are growing up in a state of realizing that the banishment of the saloon has been the greatest moral wave that has ever swept over this country, fully learning that freedom from the use of intoxicating liquors as a beverage is the best for the progress of humanity; and

Whereas, The people of Texas are aware that her standard of morals and living is not accepted by those who emigrate to this country from those countries that do not hold the respect for the Christian religion and the Bible that we of the State of Texas do; and the people of Texas do not in any way desire to lower their standard of living to conform to an inferior standard that does not bring the blessings to humanity in

general that our banishment of the saloons has brought; therefore, be it

Resolved by the House of Representatives of the Forty-second Legislature of the State of Texas, duly assembled, representing a great majority of the people of Texas, That we are unalterably opposed to the repeal of the Eighteenth Amendment to the Constitution of the United States, and we favor the stringent enforcement of this amendment throughout the United States; and

We want the world at large to know that Texas is a land of sobriety and respect for law, possessing unequaled opportunities for those addicted to temperance; be it further

Resolved, That we deplore the conduct of the moving-picture industry in showing pictures that always present a drinking scene somewhere in the act, because this is a ruse to make the Eighteenth Amendment unpopular, weaken its enforcement, and create a sentiment of familiarity among the young people to tolerate, and practice the drinking of intoxicating liquors that destroy their nobler sentiments and rob the mind and powers of the young of their highest development for the benefit of themselves and their government; and we hold in utter contempt the bootlegger.

Signed—Farmer, Forbes.

The resolution was read second time.

Mr. Harrison of El Paso raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

(Speaker in the chair.)

PROVIDING FOR DISPLAY OF CERTAIN COTTON BAGGING.

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 5, Providing for display of certain cotton bagging.

The resolution having heretofore been read second time and referred to the Committee on Agriculture.

Question recurring on the resolution, it was adopted.

RELATIVE TO GARRETT COTTON ACREAGE REDUCTION PLAN.

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 9, Relative to endorsing certain plan of cotton reduction.

The resolution having heretofore been read second time and referred to the Committee on Agriculture.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was lost by the following vote:

Yeas—53.

Adamson.	Keller.
Albritton.	Kennedy.
Alsup.	Lee.
Beck.	Leonard.
Bounds.	Lilley.
Bradley.	Mathis.
Brice.	Moore.
Bryant.	O'Quinn.
Carpenter.	Patterson.
Cox of Limestone.	Petsch.
Donnell.	Pope.
Elliott.	Ramsey.
Engelhard.	Ratliff.
Forbes.	Ray.
Ford.	Smith of Bastrop.
Fuchs.	Smith of Wood.
Gilbert.	Sparkman.
Giles.	Stevenson.
Greathouse.	Steward.
Hanson.	Van Zandt.
Harrison	Vaughan.
of El Paso.	Veatch.
Hatchitt.	Wagstaff.
Hill.	Walker.
Hoskins.	Weinert.
Jackson.	West of Coryell.
Johnson	Westbrook.
of Dimmit.	

Nays—54.

Adams of Harris.	Harrison
Adkins.	of Waller.
Akin.	Hefley.
Baker.	Holloway.
Barron.	Howsley.
Bedford.	Hughes.
Bond.	Jones of Shelby.
Brooks.	Lasseter.
Burns of Walker.	Lockhart.
Caven.	McCombs.
Claunch.	McGill.
Coltrin.	McGregor.
Coombes.	Magee.
Cunningham.	Moffett.
Dale.	Morse.
Daniel.	Munson.
Davis.	Murphy.
DeWolfe.	Richardson.
Dodd.	Rountree.
Farmer.	Sanders.
Ferguson.	Satterwhite.
Fisher.	Scott.
Goodman.	Stephens.
Graves.	Strong.
Grogan.	Sullivant.
Hardy.	

Towery.
Turner.

Wyatt.
Young.

Present—Not Voting.

Boyd. Terrell
Hines. of Val Verde.
Jones of Atascosa. Wiggs.
Martin.

Absent.

Adams of Jasper. Kayton.
Anderson. Laird.
Burns Lemens.
of McCulloch. Long.
Dunlap. McDougald.
Duvall. Mehl.
Dwyer. Metcalfe.
Finn. Nicholson.
Harman. Olsen.
Herzik. Reader.
Holder. Savage.
Holland. Shelton.
Hubbard. Sherrill.
Johnson Tarwater.
of Dallam. Warwick.
Johnson of Morris. West of Cameron.
Justiss.

Absent—Excused.

Cox of Lamar. Rogers.
Dowell. Terrell
Farrar. of Cherokee.

Reasons for Vote.

I voted "no" on Resolution No. 9 because I believe the same to be in favor of the large and rich farmer and to the detriment of the poor and small farmer. The rich do not need credit and would not be affected by this resolution should its provisions be carried out, while the poor farmer would be.

DALE.

At this time reduction of cotton acreage seems highly desirable, and we do not oppose it. But the accomplishment of that purpose, through the machinery described in the resolution, would operate in favor of large producers who are not in need of credit and would operate against the small producer, who needs credit.

We do not believe in choking anyone off by withholding credit, and for that reason voted against the adoption of the resolution.

DeWOLFE.
MOFFETT.

Mr. Sanders moved to reconsider the vote by which the resolution was lost, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote.

Yeas—50.

Adkins. Hefley.
Akin. Hill.
Barron. Hines.
Bedford. Hoskins.
Bond. Hughes.
Boyd. Jackson.
Brooks. Lasseter.
Burns of Walker. Lilley.
Caven. McCombs.
Claunch. McGill.
Coltrin. McGregor.
Coombes. Mathis.
Dale. Moffett.
Daniel. Morse.
Davis. Murphy.
DeWolfe. O'Quinn.
Dodd. Patterson.
Farmer. Rountree.
Ferguson. Sanders.
Ford. Satterwhite.
Fuchs. Smith of Wood.
Graves. Stephens.
Grogan. Turner.
Hardy. Wiggs.
Harrison Young.
of Waller.

Nays—52.

Adamson. Keller.
Albritton. Kennedy.
Alsup. Lee.
Baker. Leonard.
Bounds. Lockhart.
Bradley. Moore.
Bryant. Nicholson.
Carpenter. Petsch.
Cox of Limestone. Pope.
Donnell. Ramsey.
Duvall. Ratliff.
Elliott. Ray.
Engelhard. Richardson.
Fisher. Scott.
Forbes. Smith of Bastrop.
Gilbert. Sparkman.
Giles. Stevenson.
Goodman. Steward.
Greathouse. Sullivant.
Hatchitt. Towery.
Harman. Vaughan.
Harrison Veatch.
of El Paso. Wagstaff.
Holder. Walker.
Jones of Atascosa. West of Coryell.
Johnson Westbrook.
of Dimmit. Wyatt.

Present—Not Voting.

Terrell Weinert.
of Val Verde.

Absent.

Adams of Harris. Anderson.
Adams of Jasper. Beck.

Brice.	Laird.
Burns	Lemens.
of McCulloch.	Long.
Cunningham.	McDougald.
Dunlap.	Magee.
Dwyer.	Martin.
Finn.	Mehl.
Hanson.	Metcalfe.
Herzik.	Munson.
Holland.	Olsen.
Holloway.	Reader.
Howsley.	Savage.
Hubbard.	Shelton.
Jones of Shelby.	Sherrill.
Johnson	Strong.
of Dallam.	Tarwater.
Johnson of Morris.	Van Zandt.
Justiss.	Warwick.
Kayton.	West of Cameron.

Absent—Excused. X

Cox of Lamar.	Rogers.
Dowell.	Terrell
Farrar.	of Cherokee.

Question then recurring on the motion to reconsider, yeas and nays were demanded.

The motion to reconsider was lost by the following vote:

Yeas—57.

Adams of Jasper.	Lee.
Alsup.	Leonard.
Anderson.	Lilley.
Beck.	Martin.
Bounds.	Mathis.
Brice.	Mehl.
Bryant.	Moore.
Cox of Limestone.	Patterson.
Donnell.	Petsch.
Dunlap.	Pope.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Engelhard.	Reader.
Finn.	Shelton.
Forbes.	Sherrill.
Fuchs.	Smith of Bastrop.
Gilbert.	Sparkman.
Giles.	Stevenson.
Greathouse.	Steward.
Harrison	Tarwater.
of Waller.	Terrell
Hatchitt.	of Val Verde.
Hill.	Van Zandt.
Howsley.	Veatch.
Jackson.	Wagstaff.
Johnson	Walker.
of Dallam.	Warwick.
Johnson	Weinert.
of Dimmit.	West of Coryell.
Keller.	Westbrook.
Kennedy.	

Nays—61.

Adams of Harris.	Akin.
Adkins.	Baker.

Bedford.	Hughes.
Bond.	Jones of Shelby.
Boyd.	Johnson of Morris.
Brooks.	Lemens.
Burns of Walker.	Lockhart.
Burns	Long.
of McCulloch.	McCombs.
Caven.	McGill.
Claunch.	McGregor.
Coltrin.	Magee.
Coombes.	Metcalfe.
Cunningham.	Moffett.
Daniel.	Morse.
Davis.	Munson.
DeWolfe.	O'Quinn.
Dodd.	Richardson.
Elliott.	Rountree.
Farmer.	Sanders.
Ferguson.	Satterwhite.
Fisher.	Scott.
Goodman.	Smith of Wood.
Graves.	Stephens.
Grogan.	Strong.
Hanson.	Sullivant.
Hardy.	Towery.
Hefley.	Turner.
Herzik.	Vaughan.
Holloway.	Wyatt.
Hoskins.	Young.

Absent.

Adamson.	Hubbard.
Albritton.	Jones of Atascosa.
Barron.	Justiss.
Bradley.	Kayton.
Carpenter.	Laird.
Dale.	Lasseter.
Ford.	McDougald.
Harman.	Murphy.
Harrison	Nicholson.
of El Paso.	Olsen.
Hines.	Ray.
Holder.	West of Cameron.
Holland.	Wiggs.

Absent—Excused. +

Cox of Lamar.	Savage.
Dowell.	Terrell
Farrar.	of Cherokee.
Rogers.	

MESSAGE FROM THE GOVERNOR.

Mr. Mark Wiginton, assistant secretary to the Governor, appeared at the bar of the House and, being announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,
Austin, Texas, January 23, 1931.
To the Forty-second Legislature of the State of Texas:

Upon request of Senator Ben G. Oneal and numerous other citizens

of Wichita county, I am submitting herewith the attached Committee Substitute Senate bill No. 19 by Senator Oneal for your consideration as an emergency matter.

I am informed by the citizens who would be affected by the enactment of this bill that the local situation now existing in the water improvement district is of such a nature as to create the necessity for immediate legislative action, and upon their statements and their requests I submit this bill to you for such consideration and action as you deem proper.

Respectfully submitted,
R. S. STERLING,
Governor.

C. S. S. B. No. 19. By Oneal.

A BILL
To Be Entitled

An Act to amend Articles 7674, 7677 and 7684, Chapter 2, Title 128, of the Revised Civil Statutes, 1925, as follows: Amend Article 7674 by providing that in water improvement districts lying wholly within or partly within a county which by the 1930 United States census contains not less than 74,000 population and not more than 75,000 population, by the payment of one-half of the taxes levied for 1930, and each calendar year thereafter on or before the 31st day of January next thereafter, the other one-half of such taxes shall not become delinquent until the 31st day of July next following: amend Article 7677 by providing that in any such water improvement districts as hereinbefore described, delinquent tax rolls shall be made up on the 31st day of January and 31st day of July of each year; and amend Article 7684 by providing that in any such water improvement districts as hereinbefore described, if any person shall fail or refuse to pay one-half of the taxes imposed upon him for the calendar year 1930, and each calendar year thereafter on or before the 31st day of January next thereafter, the entire taxes for such calendar year shall become delinquent on such date, providing for penalty of ten per cent on the entire amount of such taxes which shall accrue upon such delinquent taxes; and further providing that if the first half of the taxes levied as aforesaid shall be

paid on or before the 31st day of January next after same shall become due, the second half shall become delinquent on the 31st day of July next thereafter, and a like ten per cent penalty added, and that all delinquent taxes, in addition to the penalty aforesaid, shall bear interest at the rate of six per cent per annum from and after August 1st thereafter, dispensing with notices of such taxes to taxpayers, repealing all laws in conflict with the foregoing articles, as amended, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 7674, 7677 and 7684 of Chapter 2, Title 128, of the Revised Civil Statutes, 1925, be and the same are each respectively amended so that the same shall hereafter read as follows:

Article 7674. All taxes provided for by this act shall become due and payable on the 1st day of November of each year, and shall be paid on or before the 31st day of January thereafter; provided, that in all water improvement districts lying wholly or in part in any county, having a population as shown by the United States Census of 1930, of not less than 74,000 and not over 75,000, all taxes provided for by this act for the calendar year 1930 and for each calendar year thereafter, shall become due on the first day of November of each year, and shall be payable as follows: unless one-half of the taxes so levied shall be paid on or before the 31st day of January next thereafter, the entire taxes levied for such calendar year shall become delinquent on said date. If the first one-half of such taxes levied as aforesaid shall have been paid on or before the 31st day of January aforesaid, the second half of such taxes shall become delinquent on the 31st day of July next thereafter.

Article 7677. It shall be the duty of the directors for such district to cause to be prepared by the tax collector, or at the expense of such district, a list of all lands upon which the taxes remain unpaid on the 31st of January of each year, and such list of lands shall be known as a delinquent tax roll, and such delinquent tax roll shall be delivered to the secretary of such district to be by him safely kept as a part of the record

of his office. Such delinquent record shall carry a sufficient description to properly identify the land shown to be delinquent therein. Such description may be made by reference to lot or block number. Provided, that in water improvement districts lying wholly or in part within any county having a population, according to the United States census for 1930, of not less than 74,000 and not more than 75,000, it shall be the duty of the directors of such district to cause to be prepared by the tax collector, or at the expense of such district, a list of all lands upon which the taxes remain unpaid on the 31st day of January and the 31st day of July, respectively, of each year, and such list of said land shall be known as a delinquent tax roll and such delinquent tax roll shall be delivered to the secretary of such district to be by him safely kept as a part of the records of his office. Such delinquent record shall carry a sufficient description to properly identify the land shown to be delinquent therein. Such description may be made by reference to lot or block number. The delinquent tax roll of July 31st may have combined with it the delinquent tax roll of the 31st day of January of that year.

Article 7684. If any person shall fail or refuse to pay the taxes imposed upon him or his property by this act until after the 31st day of January next succeeding the return of the assessment roll for said district, a penalty of ten (10%) per cent on the entire amount of such tax shall accrue, which penalty when collected shall be paid over to such district. Such delinquent taxes shall bear interest from August 1st after due at the rate of six per cent per annum. And the collector of taxes shall, by virtue of his tax roll, seize and levy upon and sell so much personal property as shall be sufficient to make the amount of such taxes, together with the penalty above provided, interest thereon at the rate of six (6%) per cent per annum, and all costs accruing thereon. If no personal property be found for seizure and sale as above provided, the collector shall make up and file with the secretary of the district the delinquent tax list hereinbefore provided for, charging against same all taxes, penalties and interest assessed against same and the owner thereof. Provided, that in water improvement districts lying wholly or in part within any county which has a population, according to

the United States census, 1930, of not less than 74,000 and not more than 75,000, any person shall fail or refuse to pay one-half of the taxes imposed upon him under the provisions of this chapter for the calendar year 1930, and for each calendar year thereafter, on or before the 31st day of January next thereafter, the entire taxes levied for such calendar year shall become delinquent on said date, and a penalty of ten per cent on the entire amount of such taxes shall accrue, which penalty when collected shall be paid over to such district. If the first half of the taxes levied as aforesaid shall have been paid on or before the 31st day of January, as aforesaid, the second half shall become delinquent on the 31st day of July next thereafter, and a penalty of ten per cent on the entire balance of such taxes so delinquent shall accrue, which penalty when collected shall be paid over to such district. All delinquent taxes shall bear interest from August 1st after due at the rate of six per cent per annum. No demand of taxes shall be necessary, but it shall be the duty of every person subject to taxation under the law to appear at the tax collector's office and pay his taxes; and if any person neglects so to pay his taxes until after they have become delinquent, the same shall be collected in the manner provided by law, and the tax collector of such district shall, by virtue of his tax rolls, seize and levy upon and sell so much personal property as shall be sufficient to make the amount of such taxes, together with the penalty above provided, interest at the rate of six per cent per annum, and all costs accruing thereon. If no personal property be found for seizure and sale as provided, the collector shall make up and file with the secretary of the district the delinquent tax lists hereinbefore provided for, charging against same all taxes, penalties and interest against same and the owner thereof.

Section 2. All other laws and parts of laws in conflict with Articles 7674, 7677 and 7684, as above amended, shall be and the same are here now repealed.

Section 3. The fact that there is an unusual financial depression now existing and the fact that there is now no provision of law whereby taxes for water improvement districts may be paid in two installments, and the hardships resulting from pay-

ments required to be made at one time, constitutes an emergency and an imperative public necessity, that the constitutional rule requiring bills to be read upon three several days in each house be suspended, and said rule is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 23, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 36 of the Local and Special Laws of the Regular Session of the Thirty-first Legislature of the State of Texas, and declaring an emergency."

Respectfully,
JNO. B. DUPRIEST,
Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 8, to the Committee on Revenue and Taxation.

Senate bill No. 10, to the Committee on School Districts.

EMPLOYES ANNOUNCED.

The Speaker announced the appointment of the following additional employees:

Jesse Neal, Clerk to Committee on Contingent Expenses.

Scott Keeling, page to Speaker.

William Nabors, page to Chief Clerk.

Allan Roberts, page to Doorkeeper.
Olin Crow, page to Assistant Doorkeeper.

William White, Caption Clerk.

Bolin Stanley, Night Watchman.

John D. Rogers, Telegraph and Telephone Clerk.

F. F. Parker, Assistant Sergeant-at-Arms in Gallery.

Douglas King, page to Engrossing and Enrolling Departments.

Wilbur Taylor, page to stenographic force.

D. W. Campbell, Messenger to Old Ladies' Home.

W. A. Gustavus, Messenger to Confederate Home.

J. T. Patterson, page to Journal Clerk.

Hugh Smith, page to Calendar Clerk.

Floor pages, Nuncie Baglio and Clyde Stephenson.

Stenographers, Pearl Williams and Lina Jenkins.

Typists, Eunice Bishop, Dora Toepferwein, Dorothy Hancock, Pearl Creed, Jessie Lowenstein, Kathryn Dismukes, Jennie King Russell and Mrs. Mallie Plemons.

Back Doorkeeper, Sid Wetsel.

Doorkeeper at bar of House, C. R. Troxel.

Legislative Counsellor, Wm. A. Wade.

Assistant Mailing Clerk, Mildred Cannon.

ADJOURNMENT.

On motion of Mr. Satterwhite, the House, at 12:55 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

SEVENTH DAY.

(Monday, January 26, 1931.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Adams of Harris.	Coltrin.
Adams of Jasper.	Coombes.
Adamson.	Cox of Lamar.
Adkins.	Cox of Limestone.
Akin.	Cunningham.
Albritton.	Dale.
Alsup.	Daniel.
Anderson.	Davis.
Baker.	DeWolfe.
Barron.	Dodd.
Beck.	Donnell.
Bedford.	Dowell.
Bond.	Dunlap.
Bounds.	Duvall.
Boyd.	Elliott.
Bradley.	Farmer.
Brice.	Farrar.
Brooks.	Ferguson.
Bryant.	Finn.
Burns of Walker.	Fisher.
Burns	Forbes.
of McCulloch.	Ford.
Carpenter.	Gilbert.
Caven.	Giles.
Claunch.	Goodman.